

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THEODORE ELLISON,
Plaintiff,

v.

DALE TIFFANY, INC., et al.,
Defendants.

Case No. [13-cv-02444-JST](#)

**ORDER CONTINUING CASE
MANAGEMENT CONFERENCE AND
ORDER TO SHOW CAUSE**

The Court initially set this case for an Initial Case Management Conference on September 11, 2013, by order dated July 2, 2013. ECF No. 13. The parties were also ordered to file a Joint Case Management Statement by August 28, 2013. Id.

The parties filed their JCMS two days after that deadline. ECF No. 15. In it, they described their efforts to resolve the case, and requested that the Court hold off setting a case schedule:

As described above, the parties believe the interests of the court and the parties are best served by devoting the next 45 days to discovery related to the prior settlement issue. That may resolve the matter. If it doesn't[,], the parties will report in not more than 45 days by a supplemental case management statement which provides the customary proposed scheduling dates.

Id. The Court reviewed the parties' JCMS and, on September 9, issued an order continuing the September 11 CMC to November 13 "for the reasons set forth in the parties' August 30, 2013 Joint Case Management Statement" and ordering the parties "to conduct the phased discovery outlined in that statement and to file a Supplement Joint Case Management Statement by October 30, 2013."

It is now November 12, 2013, and to date the parties have not filed a Supplemental Joint Case Management Statement. Accordingly, the Case Management Conference set for November

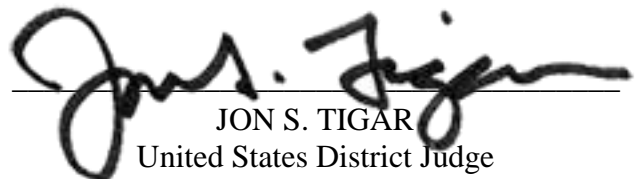
1 13, 2013 is CONTINUED to November 25, 2013 at 2:00 p.m. in Courtroom 9. A Supplemental
2 Joint Case Management Statement must be filed not later than November 18, 2013.

3 At the same date and time, the parties are also ORDERED TO SHOW CAUSE why
4 monetary sanctions should not be imposed for their failure to file their Supplemental JCMS when
5 originally ordered. A written response to the Order to Show Cause must be filed by November 18,
6 2013.

7 If the parties have resolved their case, and a Notice of Dismissal is filed on or before
8 November 18, 2013, then nothing else need be filed and the hearing on the Order to Show Cause
9 will be vacated.

10 **IT IS SO ORDERED.**

11 Dated: November 12, 2013

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13 JON S. TIGAR
14 United States District Judge
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Northern District of California